



## DECLARATION AND POWER OF ATTORNEY

Atty. Dkt. No.: 8947-000080/US

### DECLARATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHOD AND APPARATUS FOR CONTROLLING A BIT RATE OF DIGITAL VIDEO DATA

the specification of which (check one)

is attached hereto.  
or  
 was filed on \_\_\_\_\_ as Application Serial No. or PCT International Application No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

| PRIOR FOREIGN APPLICATION(S) |         |                            |  |
|------------------------------|---------|----------------------------|--|
| APPN. SERIAL NO.             | COUNTRY | DATE FILED<br>(MM/DD/YYYY) | PRIORITY CLAIM   |
|                              |         | Yes                        |  |
| 2003-26069                   | Korea   | 4/24/2003                  | <input checked="" type="checkbox"/> <input type="checkbox"/> |
|                              |         |                            | <input type="checkbox"/> <input type="checkbox"/>            |
|                              |         |                            | <input type="checkbox"/> <input type="checkbox"/>            |

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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| PRIOR PROVISIONAL APPLICATION(S) |                         |
|----------------------------------|-------------------------|
| APPN. SERIAL NO.                 | DATE FILED (MM/DD/YYYY) |
|                                  |                         |
|                                  |                         |
|                                  |                         |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below:

| PRIOR U.S. APPLICATION(S) |                         |  |
|---------------------------|-------------------------|--|
| APPN. SERIAL NO.          | DATE FILED (MM/DD/YYYY) | STATUS - PATENTED,<br>PENDING, ABANDONED |
|                           |                         |  |
|                           |                         |  |
|                           |                         |  |
|                           |                         |  |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## POWER OF ATTORNEY

I hereby appoint the following attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

|                        |                 |
|------------------------|-----------------|
| Thomas S. Auchterlonie | Reg. No. 37,275 |
| John A. Castellano     | Reg. No. 35,094 |
| Terry L. Clark         | Reg. No. 32,644 |
| Donald J. Daley        | Reg. No. 34,313 |
| Gary D. Yacura         | Reg. No. 35,416 |
| Gregory P. Brummett    | Reg. No. 41,646 |
| Matthew Lattig         | Reg. No. 45,274 |

## CORRESPONDENCE ADDRESS

I request the Patent and Trademark Office to direct all correspondence and telephone

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calls relative to this application to Harness, Dickey & Pierce, P.L.C., Customer No. 30593, P.O. Box 8910, Reston, Virginia, 20195, (703) 668-8000.

### KYUNG-HEON NOH:

Inventor's signature: 

Date: 2004.10.02

Residence: 202, 193-3, Yeongtong-dong, Yeongtong-gu, Suwon-si, Kyungki-do,

Republic of Korea

Citizenship: Republic of Korea

Mailing Address: 202, 193-3, Yeongtong-dong, Yeongtong-gu, Suwon-si, Kyungki-do,

Republic of Korea

### SEH-WOONG JEONG:

Inventor's signature: 

Date: 2004. 10. 02

Residence: 1-105, GungJeon Apt., Banpo-dong, Seocho-gu, Seoul, Republic of Korea

Citizenship: Republic of Korea

Mailing Address: 1-105, GungJeon Apt., Banpo-dong, Seocho-gu, Seoul, Republic of

Korea

# ASSIGNMENT

Atty. Docket No. 8947-000080/US

WHEREAS, the undersigned, hereinafter referred to collectively as Assignor, has invented:

**METHOD AND APPARATUS FOR CONTROLLING A BIT RATE OF DIGITAL VIDEO DATA**  
for which Assignor is about to make or has made United States or International application for patent

- (a)  executed on even date preparatory to filing (each inventor should sign this Assignment on the same day as he/she signs the Declaration and Power of Attorney);
- (b)  executed on \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; or
- (c)  filed on \_\_\_\_\_, and assigned Serial No. \_\_\_\_\_ or PCT International Application No. \_\_\_\_\_;
- (d)  U.S. Patent No. \_\_\_\_\_, issued \_\_\_\_\_; and

WHEREAS, SAMSUNG ELECTRONICS CO., LTD., a corporation of Korea having a principal place of business at 416 Maetan-dong, Yeongtong-gu, Suwon-city, Gyeonggi-do, Republic of Korea, hereinafter referred to as Assignee, is desirous of acquiring an interest therein:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy whereof is hereby acknowledged, Assignor by these presents does sell, assign and transfer unto Assignee and its successors in interest, the full and exclusive right, title and interest in the United States of America and all foreign countries, including the right to claim priority under the laws of the United States, the Paris Convention, and any foreign countries, to the said invention as described in the aforesaid application, said application for patent and all Letters Patent therefor to be held and enjoyed by Assignee to the full end of the term for which said Letters Patent are granted and any extensions thereof as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made, and the right to recover for past infringements of, or liabilities for, any of the rights relating to any of said applications or patents resulting therefrom;

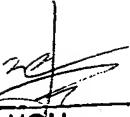
Assignor hereby covenants and agrees to execute all instruments or documents required or requested for the making and prosecution of any applications of any type for patent in the United States and in all foreign countries including, but not limited to, any provisional, continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to letters patent any reissue, re-examination, or extension thereof, and for litigation regarding, or for the purpose of protecting title and to the said invention, the United States application for patent, or Letters Patent therefor, and to testify in support thereof, for the benefit of Assignee without further or other compensation than that above set forth;

Assignor hereby covenants that no assignment, sale or agreement or encumbrance has been or will be entered into which would conflict with this Assignment; and

Assignor hereby requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States of America to Assignee, and requests that any official of any country or countries foreign to the United States, whose duty it is to issue or grant patents and applications as aforesaid, to issue said Letters Patent, Utility Model Registration or Inventor's Certificate to Assignee.

The undersigned hereby grant(s) the law firm of Harness, Dickey & Pierce, P.L.C. the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

# ASSIGNMENT

  
\_\_\_\_\_  
KYUNG-HEON NOH

2004. 10. 02  
Dated

  
\_\_\_\_\_  
SEH-WOONG JEONG

2004. 10. 02  
Dated